

DISTRICT COURT OF GUAM

NANYA TECHNOLOGY CORP.

Plaintiff,

SUMMONS IN A CIVIL CASE

V.

FUJITSU LIMITED, FUJITSU
MICROELECTRONICS AMERICA, INC.,

CASE NUMBER: 06-00025

Defendants.

TO: (Name and address of Defendant) FUJITSU LIMITED

FILED

DISTRICT COURT OF GUAM

DEC - 1 2006 *mb*

MARY L.M. MORAN
CLERK OF COURT

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address,

Joseph C. Razzano, Esq.
Teker Torres & Teker, P.C.
130 Aspinall Avenue, Suite 2A
Hagatna, Guam 96910

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

MARY L.M. MORAN
CLERK OF COURT

SEP 13 2006

CLERK

DATE



(By) DEPUTY CLERK

ORIGINAL

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICEService of the Summons and complaint was made by me¹

DATE

11/13/2006

NAME OF SERVER (PRINT)

Michael W. Shore

TITLE

Check one box below to indicate appropriate method of service☐ Served personally upon the defendant. Place where served:☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.☐ Returned unexecuted:

☒ Other (specify): In accordance with the Court's November 9, 2006 Order, Plaintiff's Original Complaint was served via email on November 9 and 13, 2006, and copies were served via Federal Express, signed receipt, on November 10, 2006 to Christopher Chalsen, and to Shigeru Kitano on November 13, 2006.

STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

TOTAL

\$

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

NOV 13 2006

Signature of Server Michael W. Shore

Shore Chan Bragalone, LLP

325 North Saint Paul Street, Suite 4450

Dallas, Texas 75201

Street Address of Server

City State Zip Code of Server

⁽¹⁾ As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

From: Alexandra Mitchell
Sent: Thursday, November 09, 2006 5:47 PM
To: christopher chalsen; shigeru kitano
Subject: NANYA Fujitsu Complaint (Guam).pdf

Gentlemen - Attached are (1) a copy of the Complaint filed on 09-13-2006 in the above-referenced action, as well as (2) a copy of the Order entered today 11-09-2006. Hard copies of these documents have been forwarded to you by Federal Express. Please note that the copy of the complaint attached does not include the very large appendix because the file size might have caused delivery problems. The full appendix is, of course, included in the hard copy that will arrive by Federal Express. Thank you.

SHORE CHAN
BRAGALONE LLP
ATTORNEYS & COUNSELORS AT LAW

Alexandra Mitchell
Legal Secretary
Shore Chan Bragalone LLP
325 North Saint Paul Street-Suite 4450
Dallas, Texas 75201
214.593.9142 Direct Dial
214.593.9110 Main Number
214.593.9111 Facsimile
alexandra.mitchell@shorechan.com

NOTICE OF CONFIDENTIALITY:

The information contained in and transmitted with this e-mail may be subject to the Attorney-Client and Attorney Work Product privileges, and is Confidential. It is intended only for the individuals or entities designated as recipients above. You are hereby notified that any dissemination, distribution, copying, use or reliance upon the information contained in and transmitted with this e-mail by or to anyone other than the addressee designated above by the sender is unauthorized and strictly prohibited. If you have received this e-mail in error, please notify the sender by reply immediately. Any e-mail erroneously transmitted to you should be immediately destroyed.

--

No virus found in this outgoing message.

Checked by AVG Free Edition.

Version: 7.0.409 / Virus Database: 268.14.12/545 - Release Date: 11/21/2006

11/22/2006

From: Michael Shore
Sent: Monday, November 13, 2006 10:18 AM
To: cchalsen@milbank.com
Cc: kitano@Iip.fujitsu.com; kitano@lip.fujitsu.com; Alfonso G Chan; Vance Freeman
Subject: Service

Dear Chris and Kitano-san:

Attached please find a copy of the Complaint filed in Guam on September 134, 2006, as well as the Civil Cover Sheet, and other materials previously filed. The Guam Federal District Court granted Nanya's motion for service under Rule 4(f)(3) yesterday, and the form of service approved was email and mail to each of you. Upon my presentation of this email to the Court as evidence of return of service, Fujitsu Ltd.'s answer will be due in 20 days. We will forward you a copy of the Court's Order as soon as we receive a file-stamped copy.

Regards,

Michael W. Shore

SHORE CHAN
BRAGALONE LLP
ATTORNEYS & COUNSELORS AT LAW

MICHAEL W. SHORE
325 NORTH SAINT PAUL ST.
SUITE 4450
DALLAS, TEXAS 75201
214-593-9140 (DIRECT)
214-593-9110 (FIRM)
214-593-9111 (FAX)

NOTICE OF CONFIDENTIALITY:

THE INFORMATION CONTAINED IN AND TRANSMITTED WITH THIS E-MAIL MAY BE SUBJECT TO THE ATTORNEY-CLIENT AND ATTORNEY WORK PRODUCT PRIVILEGES, AND IS CONFIDENTIAL. IT IS INTENDED ONLY FOR THE INDIVIDUALS OR ENTITIES DESIGNATED AS RECIPIENTS ABOVE. YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, COPYING, USE OR RELIANCE UPON THE INFORMATION CONTAINED IN AND TRANSMITTED WITH THIS E-MAIL BY OR TO ANYONE OTHER THAN THE ADDRESSEE DESIGNATED ABOVE BY THE SENDER IS UNAUTHORIZED AND STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS E-MAIL IN ERROR, PLEASE NOTIFY THE SENDER BY REPLY IMMEDIATELY. ANY E-MAIL ERRONEOUSLY TRANSMITTED TO YOU SHOULD BE IMMEDIATELY DESTROYED.

--

No virus found in this outgoing message.

Checked by AVG Free Edition.

Version: 7.0.409 / Virus Database: 268.14.5/534 - Release Date: 11/14/2006

11/22/2006

[Close Window](#)Track Shipments
Detailed Results

Print

Tracking number	791582660786	Reference	NANYA Fujitsu
Signed for by	J.DEVINCENZO	Destination	New York, NY
Ship date	Nov 9, 2006	Delivered to	Mailroom
Delivery date	Nov 10, 2006 10:16 AM	Service type	Priority Box
		Weight	3.0 lbs.
Status	Delivered		

Signature Proof of Delivery

Click **Request copy of signature** to view delivery information for this shipment.[Request copy of signature](#)

Date/Time	Activity	Location	Details
Nov 10, 2006	10:16 AM Delivered	New York, NY	
	7:53 AM On FedEx vehicle for delivery	NEW YORK, NY	
	7:47 AM Departed FedEx location	NEWARK, NJ	
	7:46 AM At local FedEx facility	NEW YORK, NY	
	5:57 AM Arrived at FedEx location	NEWARK, NJ	
	4:15 AM Departed FedEx location	INDIANAPOLIS, IN	
	1:42 AM Arrived at FedEx location	INDIANAPOLIS, IN	
Nov 9, 2006	8:38 PM Left origin	DALLAS, TX	
	7:44 PM Picked up	DALLAS, TX	
	5:28 PM Package data transmitted to FedEx		

[E-mail results](#)[Track more shipments](#)

Subscribe to tracking updates (optional)

Your Name:

Your E-mail Address:

E-mail address

Language

Exception
updatesDelivery
updates

English

☐

English

☐

English

☐

English

☐Select format: ☒ HTML ☐ Text ☐ Wireless

Add personal message:

Not available for Wireless or
non-English characters.

☐

By selecting this check box and the Submit button, I agree to these Terms and Conditions

Submit

Close Window

[Close Window](#)Track Shipments
Detailed Results

Tracking number 798040306292
Signed for by EBINA
Ship date Nov 9, 2006
Delivery date Nov 13, 2006 9:54 AM

Reference NANYA Fujitsu
Destination KAWASAKI JP
Delivered to Mailroom
Service type Priority Box
Weight 3.0 lbs.

Status Delivered

Signature Proof of Delivery

Click **Request copy of signature** to view delivery information for this shipment.

[Request copy of signature](#)

Date/Time	Activity	Location	Details
Nov 13, 2006	9:54 AM Delivered	KAWASAKI JP	
	8:09 AM On FedEx vehicle for delivery	YOKOHAMA-SHI NAKA-KU JP	
	7:36 AM At local FedEx facility	YOKOHAMA-SHI NAKA-KU JP	
Nov 11, 2006	12:51 PM In transit	NARITA-SHI JP	
	12:51 PM Int'l shipment release	NARITA-SHI JP	
	12:15 PM In transit	NARITA-SHI JP	Package available for clearance
Nov 10, 2006	9:59 AM Departed FedEx location	ANCHORAGE, AK	
	6:59 AM Arrived at FedEx location	ANCHORAGE, AK	
	4:46 AM Departed FedEx location	MEMPHIS, TN	
	1:25 AM Departed FedEx location	MEMPHIS, TN	
	12:27 AM Arrived at FedEx location	MEMPHIS, TN	
Nov 9, 2006	8:38 PM Left origin	DALLAS, TX	
	7:44 PM Picked up	DALLAS, TX	
	5:30 PM Package data transmitted to FedEx		

[E-mail results](#)[Track more shipments](#)

Subscribe to tracking updates (optional)

Your Name:

Your E-mail Address:

E-mail address

Language

Exception updates

Delivery updates

English

☐

English

☐

English

☐

English

☐

Select format: ☒ HTML ☐ Text ☐ Wireless

Add personal message:

Not available for Wireless or
non-English characters.

☐ By selecting this check box and the Submit button, I agree to these Terms and Conditions

Submit

Close Window